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From: Edwin V. Merkel	Date: April 4, 2003	No. of Pages: 13 (including this page)	
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From: Edwin V. Merkel	Date: April 4, 2003	No. of Pages: 13 (including this page)	Client/Matter: 19603/3296
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants	:	Bogdanove et al.)	Examiner:
Serial No.	:	09/596,784)	G. Bugaisky
Cnfrm. No.	:	3745)	Art Unit:
)	1653
Filed	:	June 19, 2000)	
For	:	HYPERSENSITIVE RESPONSE ELICITOR)	
		FROM <i>ERWINIA AMYLOVORA</i> , ITS USE,)	
		AND ENCODING GENE)	


CERTIFICATE OF FACSIMILE TRANSMISSION

U.S. Patent and Trademark Office
P.O. Box 2327
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Box: AF

Dear Sir:

I hereby certify that the accompanying Transmittal Letter (2 pages), Request for Five-Month Extension of Time (1 page), and Amendment Under 37 C.F.R. § 1.116 (6 pages plus 2 page Appendix) are being facsimile transmitted to the Patent and Trademark Office on the date shown below.

Date: April 4, 2003



Edwin V. Merkel
Registration No. 40,087

Nixon Peabody LLP
Clinton Square, P. O. Box 31051
Rochester, New York 14603
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Bogdanove et al.

Serial No. : 09/596,784

Cnfrm. No. : 3745

Filed : June 19, 2000

For : HYPERSENSITIVE RESPONSE ELICITOR
FROM *ERWINIA AMYLOVORA*, ITS USE,
AND ENCODING GENE

Examiner:
G. Bugaisky

Art Unit:
1653

U.S. Patent and Trademark Office
P.O. Box 2327
Arlington, Virginia 22202
Box: AF

Sir:

Transmitted herewith is an Amendment Under 37 C.F.R. § 1.116 (4 pages) and Appendix (1 page) in the above-identified application. Also enclosed are:

☒ Request for Five-Month Extension of Time.

☒ Applicants claim small entity status. (See 37 CFR § 1.27.)

☒ The fee has been calculated as shown below:

	(Col. 1)		(Col. 2)	(Col. 3)	a) SMALL ENTITY b) LARGE ENTITY	
	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE	ADD'L FEE
TOTAL	14	MINUS	20	0	a) \$ 9= b) \$18	\$0
INDEP	1	MINUS	3	0	a) \$42= b) \$84	\$0
<input type="checkbox"/> Extension of Time Fee (5 Months)					See fee Schedule	\$985.00
TOTAL						\$985.00

[] A check for \$_____ is enclosed to cover the Three-Month Extension of Time Fee.

[X] Please charge my Deposit Account No. 14-1138 in the amount of \$985.00
A duplicate copy of this sheet is enclosed.

[X] The Commissioner is hereby authorized to charge any additional fees or credit any overpayment to Deposit Account No. 14-1138.
A duplicate copy of this sheet is enclosed.

Date: April 4, 2003

Edwin V. Merkel
Edwin V. Merkel
Registration No. 40,087

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